



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

DEON D. JENKINS,
Plaintiff,

vs.

SOUTH CAROLINA DEPARTMENT OF
CORRECTIONS et al.,

Defendants.

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CIVIL ACTION NO. 0:05-0888-HFF-BM

ORDER ADOPTING THE REPORTS AND RECOMMENDATIONS OF THE
MAGISTRATE JUDGE AND DENYING PLAINTIFF'S MOTIONS FOR INJUNCTIVE
RELIEF

Plaintiff, who is proceeding *pro se*, filed this action pursuant to Section 1983. The matter is before the Court for review of two separate Report and Recommendations (Reports) from the Magistrate Judge. In both reports, the first filed on June 30, 2005, (Report I), and the second filed on August 10, 2005, (Report II), the Magistrate Judge suggests that the Court deny Plaintiff's Motions for injunctive relief. The Report is made in accordance with 28 U.S.C. § 636 and Local Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Matthews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a *de novo* determination of those portions of the Report to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

Plaintiff's objections to Report I were received in the Clerk's Office on July 13, 2005. He failed, however, to file any objections to Report II. The Court has reviewed the objections to Report I, but finds them to be wholly without merit. Moreover, in the interests of justice, and an abundance of caution, the Court has made a *de novo* review of Report II, but finds no error. Therefore, for the reasons set forth in Report I and Report II, the Court deny Plaintiff's request for injunctive relief.

After a thorough review of Report I [Doc 27] and Report II [Doc. 37] and the record in this case pursuant to the standards set forth above, the Court adopts both Reports and incorporates them herein. Therefore, it is the judgment of this Court that Plaintiff's motions for injunctive relief [Docs. 4, 5, 7, 32 and 35¹] must be **DENIED**.

IT IS SO ORDERED.

Signed this 6th day of February, 2006, in Spartanburg, South Carolina.

s/ Henry F. Floyd

 HENRY F. FLOYD
 UNITED STATES DISTRICT JUDGE

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has a right to appeal this Order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.

¹The portion of this motion that seeks to amend the Complaint was previously denied by the Magistrate Judge [Doc 36].